

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

KANDEE COOLEY,

Plaintiff,

vs.

**STATE OF ALABAMA DEPT. OF EDUCATION,
MOBILE COUNTY BOARD OF SCHOOL
COMMISSIONERS, AND MOBILE COUNTY
PUBLIC SCHOOL SYSTEM,**

Defendants.

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**Case No:
2:07CV808-MHT**

MOTION TO TRANSFER

Comes now Defendants, Mobile County Board of School Commissioners and the Mobile County Public School System (collectively referred to herein as “the Board”) and hereby moves this Honorable Court to enter an order pursuant to 28 U.S.C. § 1404(a) transferring this civil action from the United States District Court for the Middle District of Alabama to the United States District Court for the Southern District of Alabama. In support of same, the Board relies on all of the following: this motion and contemporaneously filed supporting brief; all pleadings and filings to date in this civil action; and all applicable procedural and substantive laws. As grounds for this motion, the Board states as follows:

1. This case is appropriate for a *forum non conveniens*-type transfer pursuant to 28 U.S.C. § 1404(a). This action could originally have been brought in United States District Court for the Southern District of Alabama and all of the relevant and applicable

factors to be considered in ordering a transfer weigh heavily toward such a transfer. (See Br. Supp. Mot Transfer).

2. Such a transfer would be for the convenience of the parties and witnesses and would further the interests of justice. 28 U.S.C. 1404(a).

WHEREFORE, PREMISES CONSIDERED, the Board respectfully requests this Honorable Court to transfer this civil action from the United States District Court for the Middle District of Alabama to the United States District Court for the Southern District of Alabama.

s/Vaughan Drinkard, Jr.
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CERTIFICATE OF SERVICE

I do hereby certify that I have on this the 9th day of October, 2007, electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to all Counsel of record, as follows:

April England-Albright, Esq.

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Montgomery, Alabama 36104

s/Vaughan Drinkard, Jr.
VAUGHAN DRINKARD, JR.